

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER**

Docket Number  
**13533/46401 (formerly 5199/98US)**

Application Number  
**10/620,298**

Filing Date  
**July 15, 2003**

Examiner  
**Matthew John  
Kasztejna**

Art Unit  
**3739**

Invention Title  
**INSERTABLE DEVICE AND SYSTEM FOR  
MINIMAL ACCESS PROCEDURE**

Inventors  
**Dennis L. Fowler et al.**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

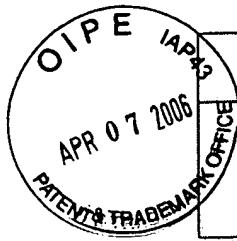
Date: April 4 2006  
Signature: Clifford A. Ulrich

1. Transmitted herewith for filing are the following:
  - A. A copy of a General Revocation of Prior Power of Attorney and Appointment of New Power of Attorney; and
  - B. A Statement Under 37 C.F.R. § 3.73(b).
2. No fee is believed due; however, the Commissioner is hereby authorized to charge any fee required by this paper or credit any overpayment to Kenyon & Kenyon LLP Deposit Account No. **11-0600**. An additional copy of this communication is enclosed for this purpose.

Respectfully submitted,

Clifford A. Ulrich  
Reg. No. 42,194

KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
(212) 425-7200 (telephone)  
(212) 425-5288 (facsimile)  
**CUSTOMER NUMBER 26646**



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**GENERAL REVOCATION OF PRIOR POWER OF  
ATTORNEY AND APPOINTMENT OF NEW POWER OF  
ATTORNEY**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK hereby revokes any and all previous powers of attorney given in the application identified in the attached Statement Under 37 C.F.R. § 3.73(b) and hereby appoints the practitioners associated with Customer No. 26646 as its attorneys to represent it before the United States Patent and Trademark Office in connection with any and all patent applications assigned to it according to the assignment documents attached to this paper in accordance with 37 C.F.R. § 3.73(b).

Please change the correspondence address for the application identified in the attached Statement Under 37 C.F.R. § 3.73(b) to:

Deborah A. Somerville, Esq.  
KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
Telephone: (212) 425-7200  
Facsimile: (212) 425-5288  
CUSTOMER NO. 26646.

The undersigned, whose title is supplied below, is authorized to act on behalf of THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK

Date: 4/3/06

By: Jeffrey M. Sears

Name: Jeffrey M. Sears, Ph.D.  
Assistant General Counsel  
Columbia University

Title: \_\_\_\_\_



13533/46401  
(formerly 5199/98US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Dennis L. FOWLER et al.  
Serial No.: 10/620,298  
For: INSERTABLE DEVICE AND SYSTEM FOR MINIMAL ACCESS  
PROCEDURE  
Filing Date: July 15, 2003  
Art Unit: 3739  
Confirmation No.: 7035

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

SIR:

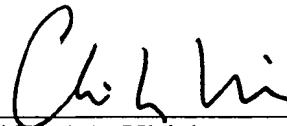
**THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF  
NEW YORK**, having a place of business at **535 West 116<sup>th</sup> Street, New York, New York  
10027**, states that it is the assignee of the entire right, title and interest in the patent  
application identified above by virtue of an Assignment from the inventor(s) of the patent  
application identified above. A copy of the Assignment is attached hereto.

The undersigned is authorized to sign this Statement Under 37 C.F.R. §3.73(b)  
on behalf of the assignee, **THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE  
CITY OF NEW YORK**.

Respectfully submitted,

Dated: April 14, 2006

By:

  
Clifford A. Ulrich  
Reg. No. 42,194

KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
(212) 425-7200  
**CUSTOMER NO. 26646**

## ASSIGNMENT

WHEREAS, we, Dennis L. Fowler, a citizen of the United States of America, residing at 400 East 70th Street, Apt. 2202, New York, NY 10021, Peter K. Allen, a citizen of the United States of America, residing at 60 Broadway, Pleasantville, NY 10570, and Andrew T. Miller, a citizen of the United States of America, residing at 93 Clermont Avenue, Apt. 1, Brooklyn, NY 11205, have invented one or more inventions (hereinafter referred to as "said invention(s)") disclosed in an application for Letters Patent of the United States titled INSERTABLE DEVICE AND SYSTEM FOR MINIMAL ACCESS PROCEDURE (hereinafter referred to as "said application"), said having been filed on July 15, 2003 and assigned application Serial No. 10/620,298

WHEREAS, THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK, having its principal offices at: Office of the General Counsel, 412 Low Library, Mail Code 4308, 535 West 116th Street, New York, NY 10027, U.S.A (hereinafter together with its successors and assigns referred to as "the Assignee"), is desirous of obtaining all right, title and interest in, to and under said invention(s) and said application; and

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency of which we hereby acknowledge, we have sold, assigned, transferred and set over, and by these presents hereby sell, assign, transfer and set over to the Assignee all right, title and interest in, to and under said invention(s) and said application, including the right to apply for any Letters Patent of the United States of America and in any and all foreign countries on said invention(s), and any and all other applications for Letters Patent on said invention(s), in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part and convention applications based in whole or in part upon said invention(s) or upon said application, and any and all Letters Patent which may issue thereon in the United States and foreign countries, and any and all reissues, extensions, renewals, divisions, continuations or continuations-in-part of Letters Patent granted for said invention(s) or upon said applications, to the full term or terms for which said Letters Patent may be issued, and every priority right that is or may be predicated upon or arise from said invention(s), said application and said Letters Patent, the same to be held and enjoyed by the Assignee for its own use and benefit fully and entirely as if the same would have been held and enjoyed by us had this Assignment not been made. We hereby authorize the Assignee to file patent applications in any and all countries on any or all of said invention(s) in our names, or in its name, or otherwise as the Assignee may deem advisable, under the International Convention or otherwise.

We hereby authorize the Commissioner of Patents and Trademarks of the United States, and any official of any other country empowered to issue patents, to record this Assignment, and to issue or transfer all said Letters Patent on said invention(s) to the Assignee as owner of all right, title and interest therein, or otherwise as the Assignee may direct, in accordance with the terms of this Assignment.

We hereby represent and warrant that we have the full right to convey the entire right and interest herein assigned, that there are no rights or interests outstanding inconsistent with the rights and interests granted herein, and that we will not execute any instrument or grant or transfer any rights or interests inconsistent with the rights and interests granted herein.

We hereby covenant and agree that we will, upon request of the Assignee, communicate to the Assignee any facts known to us relating to said invention(s) and the history thereof, testify in any legal proceeding, execute all lawful papers including without limitation all divisional, continuing and reissue applications and all rightful oaths and declarations, and generally do all further acts which may be deemed necessary by the Assignee to obtain and enforce proper patent protection for said invention(s) in all countries.

IN TESTIMONY WHEREOF, we have executed this document on the date indicated below.

Date: 12-11-03

Dennis L. Fowler  
(Dennis L. Fowler)

STATE OF NY )  
COUNTY OF NY ) SS.:

On this 11<sup>th</sup> day of Decem<sup>ber</sup>, 2003, before me came Dennis L. Fowler to me known and known to me to be the individual described in, and who executed the foregoing instrument, and he/she has acknowledged to me that he/she has executed the same.

State of New York  
County of ~~Albany~~ Queens  
Registration No. OIHA 5063858  
My Commission expires on July 29, 2006

Amy J. Helder  
Notary Public

Date: 12/4/03

Leslie

(Peter K. Allen)

On this 4<sup>th</sup> day of December, 2003, before me came Peter K. Allen, to me known and known to me to be the individual described in, and who executed the foregoing instrument, and he/she has acknowledged to me that he/she has executed the same.

State of New York  
County of Queens  
Registration No. 01HA5063858  
My Commission expires on July 29, 2006

Jerry J. H. De

## Notary Public

Date: 12/4/03

Andrea T. Miller  
(aka Andrea T. Miller)

STATE OF NY )  
COUNTY OF NY ) SS.:

On this 4<sup>th</sup> day of December, 2003, before me came Andrew T. Miller, to me known and known to me to be the individual described in, and who executed the foregoing instrument, and he/she has acknowledged to me that he/she has executed the same.

State of New York  
County of Queens  
Registration No. 01HA 5063858  
My commission expires on July 19, 2006

Amy 2. Kue

Notary Public